TL1505-13

PERMANENT MISSION
OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANIZATIONS
GENEVA

RIGHT OF REPLY UNDER ITEM 9
BY H.E. AMBASSADOR POEDJI KOENTARSO
OF THE REPUBLIC OF INDONESIA
GENEVA, 10 FEBRUARY 1988

Mr. Chairman,

It was with deep regret that my delegation listened to the accusations levelled against my country by the Portuguese delegation and some other speakers during the debate on the item under disucssion with the same old pathetic and baseless allegations. Those allegations are in fact pitiful attempts to dig up the issue of the so-called lack of self-determination for the people of East Timor. It is very unfortunate that this Commission's valuable time is being wasted on such a non-issue. For my delegation, however, there is no other alternative but to reiterate the truth regarding the situation, as we have done on previous occasions, with the hope that those concerned will listen to the voice of reason.

Mr. Chairman,

In order not to squander the little time remaining to us, let me repeat very briefly the historical facts. It is now over twelve years since that very process of decolonization took place in East Timor when the people of the territory opted for independence through integration with Indonesia. This act was an exercise of their fundamental right to self-determination and their prerogative and was in conformity with the UN resolutions 1514 (XV), 1541 (XV) and 2625 (XXV) as well as being in complete accordance with their traditional democratic practices.

Let us be objective about the true situation at that time. There was never any question of Indonesia annexing or invading the territory. Indeed, following the change of Government in Portugal in 1974, Indonesia, in view of its constitutional obligations and its close proximity to East Timor, actively supported Portugal's efforts to decolonize the territory. My country has never pretended to profess a territorial claim on East Timor. Indonesia's only wish was that the East Timorese would be permitted to come to a democratic decision on their own. To this end, the Government of Indonesia actively sought assurance from the Government of Portugal that the process of decolonization would

../..

inherently reflect this wish. For this purpose, a series of meetings between the two Governments were initiated in New York - September 1974; Lisbon - October 1974; London - March 1975; Jakarta - August and September 1975; and Rome - November 1975. Throughout those meetings Indonesia repeatedly reaffirmed its spirit of co-operation in the pursuit of a peaceful and orderly process of decolonization, on the basis of Portugal's own plan, subsequently promulgated as Constitutional Law 7/75 (1975).

It is imperative to recall that of the five political parties in East Timor at that time, Fretilin alone, remained isolated in its refusal to co-operate in a peaceful and orderly decolonization of the territory. Refusing to heed to the wishes of the democratic majority, Fretilin deliberately chose to boycott the Macao meeting of June 1975 which was organised by the colonial power, Portugal and attended by the other four political parties, namely, UDT, APODETI, KOTA and TRABALHISTA, which collectively represented the overwhelming majority of the people of East Timor. The record shows that Fretilin was not only in full contempt of the democratic process, but also blatantly seized power by force of arms and thereby plunged the territory into armed chaos.

The colonial administration in Dili made no serious effort to stop the carnage and the political chaos. Instead, it chose to abandon the territory at the height of the civil war in August 1975 and aggravated the strife and confusion by clandestinely turning over its arms and munitions to the Fretilin. With the subsequent complete breakdown of authority, the civil war raged on, causing an immense influx of tens of thousands of refugees into Indonesian West Timor, thereby posing tremendous economic and social difficulties for Indonesia in its efforts to provide humanitarian relief for the innocent victims of the atrocities committed by Fretilin. So serious was the situation that by October 1975, many thousands had perished in the civil war and more than 42,000 refugees had escaped and crossed the border into Indonesia.

Despite these appalling and unforeseeable events, Indonesia

../..

continued to urge Portugal to exercise its authority to ensure a just and orderly decolonization, where no one political group would be allowed to impose its will upon the democratic majority. As late as November 1975, the Indonesian Foreign Minister agreed to meet with his Portuguese counterpart in Rome where they concurred on the urgent need to restore peace and order in the territory in order to allow the people to freely decide their own future. In pursuit of this goal, it was decided that a meeting between Portugal and all five of the political parties in East Timor would be held as expeditiously as possible. Although not a party to the proposed talks, Indonesia encouraged all of the parties to participate. Unfortunately, while the other four parties agreed, Fretilin yet again refused and instead unilaterally declared the so-called independence of East Timor on 28 November 1975.

Only after Portugal chose to abandon the territory and in the face of Fretilin's ever-increasing reign of terror against the people did the four majority parties of East Timor who no longer considered themselves bound to any decolonization covenant as envisaged by the erstwhile colonial power, begin their struggle against the Fretilin forces in response to the latter's Unilateral Declaration of Independence November, they, in turn, subsequently proclaimed the independence East Timor through integration with the Republic of Indonesia on 30 November. Having established a provisional Government, these parties called upon Indonesia to take the necessary steps to protect the lives of the innocent East Timorese who had declared themselves to be Indonesian citizens. It was only at this point, in view of the fact that no action has been taken by any other parties to put a stop to the mass killings and atrocities perpetrated by Fretilin that Indonesia became inexorably involved in the East Timor crisis.

Although welcoming the desire of the East Timorese for integration, the Government of Indonesia refused to accede to it until after the exercise of the right to self determination had been conducted in compliance with General Assembly resolutions 1514 (XV) and 1541 (XV). That exercise took place on 31 May 1976, when the duly elected People's

../..

Assembly formally petitioned Indonesia for integration. It is important to note that every effort was made to encourage the participation of the United Nations at all stages of the decolonization process. In this regard, the Secretary General of the United Nations, his Special Representative, the President of the Security Council and the Chairman of the Committee on Decolonization were kept informed of the situation. Finally, only after complying with its Constitutional provisions and legal norms, including the dispatch of a Parliamentary fact finding mission to the territory, did the Indonesian Government accept, on 17 July 1976, the petition of East Timor to become independent through integration with Indonesia.

Thus, it is clear that Indonesia, by its actions clearly demonstrated its adherence to the principles governing the due process of self determination and decolonization, while endeavouring to respond correctly and in the most restrained manner possible to the tragedies occurring in East Timor.

This decision of the democratic majority of the East Timorese has been reaffirmed not only in the 1982 general elections, but again in 1987, when the people of East Timor participated in the national vote with over 90% voter turnout. They thereby attested to their determination to exercise their constitutional rights and responsibilities as Indonesians.

Mr. Chairman,

In this connection, I wish to stress that the participation of the East Timorese in the national general elections in 1982 and again last year was not specifically designed as an opportunity for the East Timorese to make a choice about their political status, since their decision in this regard was already taken in 1976. However, can it be denied that by participating freely in these elections, the people of East Timor have reconfirmed, directly or indirectly, their desire to live in freedom and unity with the rest of the Indonesian people and to

../..

participate without restriction in the political, economic and cultural life of the nation ? Had there been any prevalent desire to the contrary, it would surely have been expressed through either boycotting or sabotaging the elections. Indeed, the enthusiastic turnout of eligible voters constituted an undisputed confirmation of the true wishes of the people of the province.

In light of the foregoing observations, it is clear that if there was "a lack of political will to observe the right to self determination" of the people of East Timor, as stated yesterday by the Portuguese delegation, such a lack was certainly on the part of the then Portuguese administration when it abandoned the territory in blatant disregard of its responsibilities as the administering power, and thereby failed to carry out the process of decolonization in an orderly and peaceful manner.

Mr. Chairman,

A certain NGO's delegate has made a reference to the so-called question of Irian Jaya, this is clearly an attempt to interfere in the internal affairs of Indonesia, a State Member of the United Nations. As you are aware, the people of this former Dutch territory exercised their right to self determination through the act of free choice under the auspices of the United Nations on the basis of the agreement of 15 August 1962 between Indonesia and the Netherlands. As a result of that exercise, it was decided that Irian Jaya be re-integrated with the Republic of Indonesia in 1969. This decision was approved by the General Assembly of the United Nations in September of the same year. Since then, Irian Jaya has become a province of Indonesia. Any attempt to question the political status of this province therefore cannot but be considered as an interference in the internal affairs of a sovereign state.

For that reason, Mr. Chairman, my delegation categorically rejects this attempt since it is in violation of Article 2, Paragraph 7 of the United Nations Charter.

Thank you, Mr. Chairman.